

PR

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

TIMOTHY RYAN GOVE,

Plaintiff,

v.

SARGENTO FOODS INC.,

Defendant.

Case No. 18-CV-1335

U.S. DISTRICT COURT
EASTERN DISTRICT-WI
FILED
2018 NOV -8 P 2:49
STEPHEN C. DRISCOLL
CLERK

ORDER DIRECTING PLAINTIFF TO FILE AMENDED COMPLAINT

I did make a technical error on my original filing. The error is; I stated incorrectly my employment was terminated on April 19th, 2018. The amended complaint is my employment with Sargento Food INC. was terminated on April 30th, 2018.

Listed below are just notable occasions in which I was harassed, and or, discriminated against at Sargento Foods INC.

February 2018. I attended the Sargento commemorative work anniversary banquet in Elkhart Lake. Not sure what the event was called. At the banquet, human resources manager Sonia Otte intentionally harassed me. History at Sargento Foods INC is when you file a grievance or complain about a co-worker, management retaliates against you. They do so by slapping you down and using direct pressuring techniques. In other words; they put you in your place, too let you know who's in charge!

March 2018. Three co-workers; Ricky Ferron, Owen Carle, and Emily Den Decker deliberately physically abused me as I was working. 18 U.S. Code § 16 - Crime of violence. In knowing what happened that day; management side tracked the process and refused me the opportunity to tell my side of the story, and to file a grievance complaint. This event was the catalyst that lead to my termination of employment after six dedicated years of service.

April 2018. I attended another meeting with management. They mandated me to agree to participate in a fitness for duty exam by a forensic psychologist or be terminated. In the letter outlining their reason; they acknowledged some of the previous Discrimination and harassment issues that have occurred, specifically the Katherine

Clauson issues. This was mandated out of retaliation, violation of Title VII. They refused to address the most current issues.

I am submitting documents that I presented to Sargento. The first is the misses describing briefly what I have been dealing with on a regular basis. The misses only detailed a couple of the events that have occurred recently. This misses is the original document along with my signature that Sargent management human resources representative Jeff Kiesner made a copy of. If you notice the bottom of both pages, it has blank OF blank on the bottom of the pages. The reason the OF stands alone is due to I had intentions of adding the page numbers after I filed the grievance complaint. It would have included both the misses and grievance complaint. For example; page 1 of 5, page 2 of 5, page 3 of 5, and so on.

The second document presented is the copy of the form I was mandated to sign requiring me to attend psychological counseling; but more importantly, illustrating Sargento's had first hand knowledge of what was going on.

Honorable Magistrate Judge David E Jones ordered me to list a momentary amount for what I was seeking. He also stated that I might be filing this out of retaliation. The truth of the matter is; and allow me to be clear on this, I'm seeking justice! If I can help bring change in how Sargento's corporate culture deals with people who are being persecuted; and prevents one person from going thru in what I endured, it will be well worth my sacrifice. There is no amount of monies that can compensate for what I have been thru. Therefore; in the maleficents which occurred, I am seeking the sum of \$150,000 or greater for damages. Winston Churchill once said; 'if you going thru hell, just keep walking', and that is all I've been doing. As we speak; Sargento's management not only knowingly allow peers to discriminate and harass individuals; but support and abet with them in the process, thus creating the most hostile work environment I ever encountered! Its time Sargento starts living up too what they preach and the image that they portray.

I will present additional information relating to the events at the trial itself; due too the fact that Sargento management coaches its employees on how to handle sensitive issues. At the jury trial, I will present all events, documentation, and witness testimonies in these matters of Religious / Sexual discrimination, harassment, and physical abuse.

These are the facts and motives outlining Sargento's cover up of the truth. I researched, discovered, and filed a complaint with the EEOC (Equal Employment Opportunity Commission), a couple of days after I was required to attend the EAP (Employee Assistant Program) and the FITNESS FOR DUTY EXAM. This mandate was three weeks prior to my employment being terminated by Sargento Foods INC. I don't know why the lord put it in my heart to do it then, but He did. If it was out of retaliation, I would have found out much earlier how to do it. I gave Sargento a great deal of latitude to deal with

and correct the continuing issues, and to make Sargento a safe environment to work in . The way they dealt with the underlining issues; was by terminating me to cover up their own activities and that of others. See documentation.

My second EAP appointment, was meeting with the forensic psychologist, Dr. Daniel Burbach. When you read the release forms terminology and the language, it requires you to submit all your medical records, history and protected rights handed over to him. Almost every paragraph is questionable in nature. It makes you ponder the question, what is Sargento's true intentions. What is Sargento's purpose in me seeing this guy? Why would Sargento want access to my medical history and records? In what capacity would it serve them? Could having access to these additional information be used to build suspicion and doubt; in a possible future court case, or act as a deterrent for someone who's thinking about their options. See the copies of the consent forms.

Under Wisconsin law, employment is generally at will, and can be terminated by either the employee or employer for no reason at all, unless it is in violation of the law. This very premises begs the question, why would Sargento Foods INC. go to such lengths to create a paper trail before they terminated my employment? Why were they attempting to portray a false image, and what behaviors are they covering up?

Timothy R. Brown 11-8-18

Friday 1-26-18 When my hair cut was done, a woman in the next booth; walked out from her booth, starred at me, and went back in. I don't know, but I remember vicki zahn telling me her daughter has blond hair. It doesn't surprise me about her lies; but last time me and vicki talked she told me that her daughter transferred to the Kaukauna location, she shouldn't be at the Darboy shop. Deep down inside, I knew it was a lie, but I told Abigail what i did anyways. It was to send a clear message. I am going NOT sugar coat it, and I am NOT going to put up anymore threats from Bruce Benke like I did last year. He also needs to learn to shut his rabid, venomous mouth. For the record; he doesn't intimate me, . He just pisses me off, peroid!

1-30-18 next week tuesday at work, certain people were giving me the death look. bruce benke deliberately turned into me as i was walking down the hall by the lunch box cubbies four times during three days. twice i stepped aside and then realized he was doing it deliberately. the next 2's i just kept walking. amazingly he caught himself and we just briefly brushed shoulders. It stopped on Friday and bruce started to completely ignore me. Someone must have told him to knock it off or he'll get in trouble. He's too stupid to figure it out by himself.

Monday feb 5th, jeff van asten said to bruce in the lunch room that someone should put him 6ft under. they must have heard that katie was not coming to first shift for this building now. i guess its my fault again. kinda ironic, all week they were gloating like they knew something i didn't.

All this tension at work is due to the on going issue with Katie Clauson. I constantly hear rude remarks, put up with bad attitudes and listen to smart ass comments from the harassing social club members about Katie not being at our building because of Tim and his lies.

The issue here is squarely put on your (HR's) shoulders. By allowing her to continue to apply for jobs at the north building, it fuels the social clubs fire when I speak out against it and she isn't allowed to come. You (HR) could have ended last October right away when jobs came available. The truth is you (HR) wanted her to come back either to appease the social club here, or to act like she never did nothing wrong, or both for legalities sake . The point is; I have passionately asked that she doesn't come back because she won't quit doing what she does. before she was transfer to third shift kiel plant, she tried to get me in trouble several times, that I know of. When i bring it up to you (HR), you act like she's going to change or something? If anyone knows personalities, you (HR) do. The bottom line is narcissistic don't change. They have no empathy, sympathy, or remorse for what they do to their victims.

Yeah; I learned a lot of new words and definitions in the last year trying to figure out why she's been do what she's doing. I heard of the word narcissistic before, but never knew what it truly meant. It clearly illustrates her actions and fits her personality perfect. She doesn't take responsibility for anything she has done. Instead, she points her finger in the other direction at me.

This is a young woman who tried to get me fired after I walked away from her advances. so many people knew she wanted to sleep with me. she and they portrayed me (smeared) as a stalker knowing the plain truth. she constantly laughed at me and even threatened to vandalized my car. Did a gester to me as she was walking by me suggesting that i perform fellatio, and days later whistling and blowing reminding me of her earlier escapades. And I know of several times of her trying to get me in trouble

(suspended/ fired). The sad fact about all of this is you (HR) were aware of her earlier stunts and still hired her. Even when she was on her probation period, and she did her fellatio stunts, all you did was send her to another plant. Looking back, you (HR) should have fired her or not even hired her (and no, I wouldn't wish anyone getting fired). As I told you (HR) before, I couldn't do to her, what her intentions were for me. But now she's back at our plant at the south building, she's propagating additional lies and slandering. When does it stop? I guess when I get fired! Now every tom, dick, and harry in her social group goes out of their way to get me in trouble. These people have no morals or values. They'll take someone out of their lively hood of making a living if they don't like them, without hesitation.

This is what happens when you (HR) covers up people who harass/ bullies others by sweeping it under the carpet. In my case; despite them having solid facts and the knowing the truth of what really happened, you (HR) shifted the blame on someone who is innocent. If your not going to discipline people who bully or harass, then all the policies we sign off mean nothing. Second, your not a world class organization if you allow it.

Timothy R Gove

3-16-18

Timothy R Gove

03-16-18

T. Gove

of